

EXHIBIT 11

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

IN RE: CATHODE RAY TUBE (CRT)) MASTER FILE NO.
ANTITRUST LITIGATION) CV-07-5944 JST

-----)

THIS DOCUMENT RELATES TO:)

ALL INDIRECT PURCHASER ACTIONS)

ALL DIRECT PURCHASER ACTIONS)

DEFENDANTS.)

-----)

VIDEOTAPED DEPOSITION OF YAN YUNLONG

VOLUME II

WEDNESDAY, SEPTEMBER 28, 2022

MACAU S.A.R., CHINA

FILE NO. SF 5436476

REPORTED BY MARK McCLURE, CRR

CAL CSR 12203

1 VIDEOTAPED DEPOSITION OF YAN YUNLONG, VOLUME II, TAKEN
2 AT 8:06 A.M., CHINA STANDARD TIME, WEDNESDAY, SEPTEMBER
3 28, 2022, MACAU S.A.R., CHINA, VIA VERITEXT REMOTE
4 TECHNOLOGY, BEFORE MARK McCLURE, C.S.R. #12203,
5 CERTIFIED SHORTHAND REPORTER IN AND FOR THE STATE OF
6 CALIFORNIA.

7
8 APPEARANCES OF COUNSEL:

9 FOR THE PLAINTIFFS, ALL INDIRECT PURCHASERS:

10 (APPEARING BY VIDEOCONFERENCE)

TRUMP, ALIOTO, TRUMP & PRESCOTT

11 BY: LAUREN CAPURRO, ESQ.

120 HOLSTROM CIRCLE

12 NOVATO, CALIFORNIA 94947-2072

415.860.5051

13 LAURENRUSSELL@TATP.COM

14 (APPEARING BY VIDEOCONFERENCE)

BRAMSON, PLUTZIK, MAHLER & BIRKHAUSER

15 BY: DANIEL BIRKHAUSER, ESQ.

2125 OAK GROVE ROAD, SUITE 125

16 WALNUT CREEK, CALIFORNIA 94598-2534

925.945.0200

17 DBIRKHAUSER@BRAMSONPLUTZIK.COM

18 FOR THE PLAINTIFFS, ALL DIRECT PURCHASERS:

19 (APPEARING BY VIDEOCONFERENCE)

SAVERI & SAVERI

20 BY: RICK SAVERI, ESQ.

706 SANSOME STREET

21 SAN FRANCISCO, CALIFORNIA 94111

415.217.6810

22 RICK@SAVERI.COM
23
24
25

1 APPEARANCES OF COUNSEL: CONTINUING
2 (APPEARING BY VIDEOCONFERENCE)
SAVERI & SAVERI
3 BY: DAVID HWU, ESQ.
706 SANSOME STREET
4 SAN FRANCISCO, CALIFORNIA 94111
415.217.6810
5 DHWU@SAVERI.COM
6

FOR THE PLAINTIFFS, ALL DIRECT PURCHASERS:

7 (APPEARING BY VIDEOCONFERENCE)
8 SAVERI & SAVERI
BY: MATTHEW HEAPHY, ESQ.
9 706 SANSOME STREET
SAN FRANCISCO, CALIFORNIA 94111
10 415.217.6810
MHEAPHY@SAVERI.COM

11 (APPEARING BY VIDEOCONFERENCE)
12 SAVERI & SAVERI
BY: GEOFFREY C. RUSHING, ESQ.
13 706 SANSOME STREET
SAN FRANCISCO, CALIFORNIA 94111
14 415.217.6810
GRUSHING@SAVERI.COM

15 FOR THE DEFENDANTS, IRICO, AND THE WITNESS, YAN YUNLONG:

17 (APPEARING BY VIDEOCONFERENCE)
BAKER BOTTS, LLP
18 BY: THOMAS E. CARTER, ESQ.
700 K STREET NW
19 WASHINGTON, DC 20001
202.639.7909
TOM.CARTER@BAKERBOTTSCOM
21 (APPEARING BY VIDEOCONFERENCE)
BAKER BOTTS, LLP
22 BY: EVAN WERBEL, ESQ.
700 K STREET NW
23 WASHINGTON, DC 20001
202.639.1323
24 EVAN.WERBEL@BAKERBOTTSCOM
25

1 APPEARANCES OF COUNSEL: CONTINUING
2 FOR THE DEFENDANTS, IRICO, AND THE WITNESS, YAN YUNLONG:
3 (APPEARING BY VIDEOCONFERENCE)
NORTON ROSE FULBRIGHT U.S., LLP
4 BY: KAYLEE YANG, ESQ.
555 CALIFORNIA STREET, SUITE 3300
5 SAN FRANCISCO, CALIFORNIA 94104
628.231.6827
6 KAYLEE.YANG@NORTONROSEFULBRIGHT.COM
7
8

9 ALSO PRESENT:

10 AMANDA LIN, MAIN INTERPRETER

11 JOHN MACDONELL, VIDEOGRAPHER
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1		I N D E X	
2	WITNESS	EXAMINATION	PAGE
3	YAN YUNLONG		
4		BY MR. BIRKHAUSER	158
5		BY MR. RUSHING	190
6		BY MR. CARTER	271
7			
8			
9		E X H I B I T S	
10	NUMBER	DESCRIPTION	PAGE
11	EXHIBIT 8610	PILLSBURY LAW FIRM, LETTER TO PLAINTIIFS LAWYERS	183
12			
13	EXHIBIT 8611	IRICO GROUP CORPORATION - REQUEST FOR THE RIGHT TO EXAMINE AND APPROVE THE APPLICATION OF DISPATCHING PERSONNEL TO GO ABROAD TEMPORARILY AND TO INVITE FOREIGN ECONOMIC AND TRADE PERSONNEL TO CHINA - IRI-CRT-00025698 - IRI-CRT-00025701 - 9 PAGES	256
14			
15			
16			
17	EXHIBIT 8612	LIST OF ACTUALLY EXPORTED COMMODITIES BY COUNTRY - JANUARY 1997 - DECEMBER 1997 - IRI-CRT-00025753 - IRI-CRT-00025754 - 5 PAGES	261
18			
19			
20	EXHIBIT 8613	IRICO DEFENDANTS' FIFTH SUPPLEMENTAL OBJECTIONS AND RESPONSES TO DIRECT PURCHASER PLAINTIFFS' FIRST SET OF INTERROGATORIES - 14 PAGES	276
21			
22			
23	EXHIBIT 8614	ARTICLES OF ASSOCIATION OF CEIEC, CAIHONG BRANCH - IRI-CRT-00003797 - IRI-CRT-00003799 - 7 PAGES	289
24			
25			

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I N D E X
E X H I B I T S

NUMBER	DESCRIPTION	PAGE
EXHIBIT 8615	CAIHONG GROUP DOCUMENT - REPORT ON THE RESPONSE TO VERIFY THE RELEVANT ISSUES - IRI-CRT-00028800 - IRI-CRT-00028811 - 25 PAGES	297

PREVIOUSLY MARKED EXHIBITS

NUMBER	PAGE
8418	180
8586	253
8591	263
8607	166
8608	176
8609	176

1 know, there was once a fire in that archive room in our 16:48
2 office location in Beijing, but I do not know if the 16:48
3 documents were lost or not. 16:48

4 Q. Mr. Yan, are you familiar with an entity 16:48
5 called China Electronics Import and Export Caihong 16:49
6 Company? 16:49

7 A. I'm aware of that company. 16:49

8 Q. How did you become familiar with that entity? 16:49

9 A. During the time I worked in the technology 16:49
10 center, I was in charge of importing and procuring the 16:50
11 materials to be used by the technology center. That 16:50
12 part of the work was assigned and contracted to be 16:50
13 performed by China Electronics Import & Export Caihong 16:50
14 Company. So at that time we had business dealings with 16:50
15 them. 16:50

16 Q. Could you please tell us what you know about 16:50
17 China Electronics Import & Export Caihong Company. 16:50

18 MR. RUSHING: Objection to the form. Lacks 16:50
19 foundation. 16:50

20 THE WITNESS: The purpose of establishing 16:51
21 China Electronics Import & Export Caihong Company was to 16:51
22 serve for and provide services for the Group in terms of 16:51
23 the import and export business, and also it would 16:51
24 provide services to support the sales and all other 16:51
25 businesses performed by the Group, as well as the 16:52

1 companies under the Group in terms of handling the 16:52
2 import and export matters of the materials that are to 16:52
3 be used by various companies. 16:52
4 BY MR. CARTER: 16:52
5 Q. Is there an abbreviation or short name that 16:52
6 you typically use to refer to China Electronics Import & 16:52
7 Export Caihong Company? 16:52
8 MR. RUSHING: Object to form. 16:52
9 THE WITNESS: Our habit is to refer to it as 16:52
10 Caihong Import-Export Company. 16:52
11 BY MR. CARTER: 16:52
12 Q. Okay. So going forward, I'll also refer to 16:53
13 that company as Caihong Import-Export Company. 16:53
14 Does that make sense? 16:53
15 A. Okay. 16:53
16 Q. Are you familiar with a different entity 16:53
17 called China Electronics Import & Export Company? 16:53
18 A. It's a state-owned company, enterprise. 16:54
19 Q. Is China Electronics Import & Export 16:54
20 Corporation sometimes referred to as CEIEC? 16:54
21 MR. CARTER: Objection to the form. 16:54
22 THE WITNESS: Yes. 16:54
23 BY MR. CARTER: 16:54
24 Q. So going forward in this deposition, I'll 16:54
25 refer to China Electronics Import & Export Corporation 16:54

1 as CEIEC. 16:54

2 Is that okay? 16:54

3 A. Yes. 16:54

4 Q. During the period 1995 to 2007, was there any 16:54

5 ownership relationship between CEIEC and Irico Group? 16:55

6 MR. RUSHING: Objection to the form. Lacks 16:55

7 foundation. 16:55

8 THE WITNESS: No. 16:55

9 Both CEIEC and Irico Group are the central 16:55

10 state-owned companies that are managed and supervised by 16:55

11 the state committee, or bureau, of information. But 16:56

12 there is no ownership relationship between these two 16:56

13 companies. 16:56

14 BY MR. CARTER: 16:56

15 Q. And you mentioned that CEIEC was a state-owned 16:56

16 enterprise. 16:56

17 To your knowledge, was it a state-owned 16:56

18 enterprise during the entire period 1995 to 2007? 16:56

19 MR. RUSHING: Objection to form. Lacks 16:56

20 foundation. 16:56

21 THE WITNESS: Yes. 16:56

22 BY MR. CARTER: 16:56

23 Q. Are you aware of whether there was an 16:56

24 ownership relationship between CEIEC and Caihong 16:56

25 Import-Export during the period 1995 to 2007? 16:57

1 MR. RUSHING: Objection to form. Lacks 16:57
2 foundation. 16:57
3 THE WITNESS: There is none -- there was none. 16:57
4 BY MR. CARTER: 16:57
5 Q. Just so the record is clear, Mr. Carter, 16:57
6 Caihong Import-Export Company, we also refer to it 16:57
7 sometimes in this litigation as CNEIEC, is that correct? 16:57
8 MR. CARTER: That's my understanding, yes. 16:57
9 THE WITNESS: Okay. 16:58
10 BY MR. CARTER: 16:58
11 Q. Mr. Yan, which company or companies owned 16:58
12 Caihong Import-Export Company during 1995 to 2007? 16:58
13 MR. RUSHING: Objection to form. Lacks 16:58
14 foundation. 16:58
15 THE WITNESS: Are you asking about the company 16:58
16 or companies that owned Caihong Import-Export Company 16:59
17 during 1995 to 2007, right? 16:59
18 BY MR. CARTER: 16:59
19 Q. Right. 16:59
20 A. It was owned by the company called CEIEC. 16:59
21 Q. Is that wholly owned or partly owned? 16:59
22 MR. RUSHING: Objection. Form. Lacks 16:59
23 foundation. 16:59
24 For the record, when I say "Objection to 16:59
25 form," it includes all of the category of objections to 16:59

1 form, including leading, compound, vague, ambiguous, et 16:59
2 cetera. I'm just saying "Objection to form" so as not 16:59
3 to impede the deposition. If you would like me to say 16:59
4 more, I will, but I just want to state that for the 16:59
5 record. 16:59
6 MR. CARTER: That's fine, Geoff, as long as 16:59
7 you're willing to extend me that same stipulation. 16:59
8 MR. RUSHING: I think that's the correct way 16:59
9 to do it, so yes. 16:59
10 THE WITNESS: Okay. It was wholly owned. 17:00
11 BY MR. CARTER: 17:00
12 Q. What was the relationship, if any, between 17:00
13 Irico Group, on the one hand, and Caihong Import-Export 17:00
14 Company, on the other, between 1995 to 2007? 17:01
15 MR. RUSHING: Objection to form. Lacks 17:01
16 foundation. 17:01
17 THE WITNESS: It was a relationship between 17:01
18 customers, or with a customer. 17:01
19 BY MR. CARTER: 17:01
20 Q. To your knowledge, is that true for all the 17:01
21 years between 1995 to 2007? 17:01
22 MR. RUSHING: Objection to form. Lacks 17:01
23 foundation. 17:01
24 THE WITNESS: Yes. 17:02
25 17:02

1	BY MR. CARTER:	17:02
2	Q. To your knowledge, what was the relationship,	17:02
3	if any, between Irico Display, on the one hand, and	17:02
4	Caihong Import-Export, on the other, between 1995 to	17:02
5	2007?	17:02
6	MR. RUSHING: Objection to form. Lacks	17:02
7	foundation.	17:02
8	THE WITNESS: It should also be a relationship	17:02
9	between customers.	17:02
10	BY MR. CARTER:	17:02
11	Q. Did Irico Group hold any ownership stake in	17:02
12	Caihong Import-Export Company between 1995 and 2007?	17:02
13	MR. RUSHING: Objection to form. Lacks	17:03
14	foundation.	17:03
15	THE WITNESS: No.	17:03
16		17:03
17	Q. Did Irico Display hold any ownership stake in	17:03
18	Caihong Import-Export Company between 1995 and 2007?	17:03
19	MR. RUSHING: Objection to form. Lacks	17:03
20	foundation.	17:03
21	THE WITNESS: No.	17:03
22	BY MR. CARTER:	17:03
23	Q. Did any other Irico-related entity hold any	17:03
24	ownership stake in Caihong Import-Export Company between	17:03
25	1995 and 2007?	17:03

1 MR. RUSHING: Objection to form. Lacks 17:03
2 foundation. 17:03
3 THE WITNESS: Not to my knowledge. 17:04
4 BY MR. CARTER: 17:04
5 Q. Are you aware of -- strike that. 17:04
6 You said that the relationship between Irico 17:04
7 Group and Caihong Import-Export Company was a 17:04
8 relationship between customers or with a customer. 17:04
9 Do you know what products Irico Group sold to 17:04
10 Caihong Import-Export Company? 17:04
11 MR. RUSHING: Objection to form. Lacks 17:05
12 foundation. 17:05
13 THE WITNESS: Yes, I have knowledge about 17:05
14 that. We were selling color picture tubes to Caihong 17:05
15 Import-Export Company. We also sold some luminescent 17:05
16 materials and other materials to Caihong Import-Export 17:06
17 Company. We also contracted Caihong Import-Export 17:06
18 Company to import some materials or equipments or 17:06
19 components for us. 17:06
20 BY MR. CARTER: 17:06
21 Q. When you say you contracted Caihong 17:06
22 Import-Export Company to import materials or equipment, 17:06
23 would those materials or equipment then be purchased by 17:06
24 Irico Group from Caihong Import-Export Company? 17:06
25 A. Yes. 17:06

1 Q. Are you aware of whether Irico Group stopped 17:06
2 selling color picture tubes to Caihong Import-Export 17:07
3 Company at some point before 2007? 17:07
4 MR. RUSHING: Objection to the form. Lacks 17:07
5 foundation. 17:07
6 THE WITNESS: I'm aware of that, yes. 17:07
7 BY MR. CARTER: 17:07
8 Q. When was that? 17:07
9 A. It was in 2004 when we succeeded in our IPO in 17:07
10 Hong Kong. According to the requirements and rules by 17:08
11 Hong Kong Stock Exchange, it required that any publicly 17:08
12 traded company has to have an independent sales 17:08
13 operation and sales arm. In that scenario, in order to 17:08
14 satisfy that requirement, we ceased our business with 17:08
15 Caihong Import-Export Company. 17:08
16 MR. RUSHING: Objection. Lacks foundation. 17:08
17 MR. CARTER: Mr. Yan, I'm going to have one 17:08
18 more document to show you in just a moment. 17:08
19 Mr. Yan, I'm introducing what has been marked 17:09
20 as Exhibit 8614. 17:09
21 (Exhibit 8614 marked for identification.) 17:09
22 BY MR. CARTER: 17:09
23 Q. Please refresh your page and let me know when 17:09
24 you have that pulled up. 17:09
25 A. I see 8614. 17:09

Page 289

1 Q. Okay. The document starts with the 17:09
2 translation, and then the original Chinese version 17:09
3 begins on page 5 of the PDF. 17:09
4 MR. RUSHING: Okay, I'm going to try to get 17:10
5 the document, too, here. Just a second. 17:10
6 MR. CARTER: Sure. Let me know when you're 17:10
7 ready, Geoff. 17:10
8 MR. RUSHING: Which one is it? 17:10
9 MR. CARTER: 8614. 17:10
10 MR. RUSHING: Thank you. We have it. 17:10
11 BY MR. CARTER: 17:10
12 Q. Mr. Yan, please take your time to review this 17:10
13 and let me know when you're ready. 17:10
14 A. I'm ready. 17:11
15 Q. What is this document? 17:11
16 MR. RUSHING: Objection to form. Lacks 17:11
17 foundation. 17:11
18 THE WITNESS: This is the company bylaw of the 17:11
19 Caihong branch company of China Electronics 17:11
20 Import-Export Company. 17:11
21 BY MR. CARTER: 17:11
22 Q. To your knowledge, is the Caihong branch of 17:11
23 CEIEC the same entity that we've been discussing as 17:11
24 Caihong Import-Export Company? 17:11
25 MR. RUSHING: Objection to the form. Lacks 17:11

Page 290

1 foundation. 17:11

2 THE WITNESS: Yes. 17:12

3 17:12

4 BY MR. CARTER: 17:12

5 Q. I think you described these as bylaws. The 17:12

6 English translation we have is "Articles of 17:12

7 Association." 17:12

8 Are those -- is that the same term in Chinese? 17:12

9 MR. RUSHING: Objection. 17:12

10 THE WITNESS: It's the same. 17:12

11 BY MR. CARTER: 17:12

12 Q. Okay. Can you describe generally what 17:12

13 Articles of Association are with regard to Chinese 17:12

14 corporations? 17:12

15 MR. RUSHING: Objection to form. Lacks 17:13

16 foundation. 17:13

17 THE WITNESS: Articles of Association -- how 17:13

18 should I explain it? 17:13

19 Articles of Association to a company or an 17:13

20 enterprise would be similar as to the constitution of a 17:13

21 nation. It should serve as the highest governing 17:13

22 document and articles for the formation and organization 17:14

23 of a given enterprise. 17:14

24 BY MR. CARTER: 17:14

25 Q. Mr. Yan, based on your knowledge and 17:14

1 experience with Chinese law, would it be lawful for a 17:14
2 Chinese corporation to act in a manner that was 17:14
3 inconsistent with its Articles of Association? 17:14
4 MR. RUSHING: Objection to the form. Lacks 17:14
5 foundation. 17:14
6 Objection. Calls for an improper expert 17:15
7 opinion. 17:15
8 THE WITNESS: Once the Articles of Association 17:15
9 of a company are set, the company has to follow the 17:15
10 Articles of Association strictly. In the case of any 17:15
11 inconsistencies or even violation of the Articles of 17:15
12 Association, the party that suffers from the damages or 17:15
13 the victim to such violation or inconsistencies would 17:15
14 have the right to file a lawsuit in the court to seek 17:15
15 either indemnification of the damages that are caused or 17:16
16 seek correction. 17:16
17 BY MR. CARTER: 17:16
18 Q. Mr. Yan, I'd like to draw your attention to 17:16
19 Article 1 on the page ending in 3797. It states: 17:16
20 "CEIEC, Caihong Branch (hereinafter referred to as the 17:16
21 'Branch') is a foreign trade operation entity 17:16
22 established under the laws of the People's Republic of 17:16
23 China. It directly carries out the import and export 17:16
24 trades and foreign technical cooperation in relation to 17:16
25 the use and sales of cathode ray tubes." 17:16

Page 292

1 Do you see that? 17:16

2 MR. RUSHING: Objection to form. 17:17

3 17:17

4 BY MR. CARTER: 17:17

5 Q. To the best of your knowledge, was that an 17:17

6 accurate statement for the entire period from 1995 until 17:17

7 when Irico stopped selling CRTs to Caihong Import-Export 17:17

8 Company in 2004? 17:17

9 MR. RUSHING: Objection to form. Lacks 17:17

10 foundation. 17:17

11 MR. BIRKHAEUSER: Objection. Leading. 17:17

12 THE WITNESS: The description and the 17:18

13 statement was accurate. 17:18

14 BY MR. CARTER: 17:18

15 Q. Continuing on, it reads: "It conducts 17:18

16 independent financial accounting and assumes sole 17:18

17 responsibility for its profits or losses." 17:18

18 Do you see that? 17:18

19 A. I see it. 17:18

20 Q. To the best of your knowledge, was that an 17:18

21 accurate statement for the entire period 1995 to 2004? 17:18

22 MR. RUSHING: Objection to form. Lacks 17:18

23 foundation. 17:18

24 MR. BIRKHAEUSER: Objection. Leading. 17:18

25 THE WITNESS: The description was accurate. 17:18

1 BY MR. CARTER: 17:19

2 Q. Based on your work experience at Irico Group, 17:19

3 were Caihong Import-Export Corporation's finances ever 17:19

4 aggregated or consolidated with Irico Group for its 17:19

5 financial reporting? 17:19

6 MR. RUSHING: Objection to form. Lacks 17:19

7 foundation. 17:19

8 THE WITNESS: No. 17:19

9 BY MR. CARTER: 17:19

10 Q. Continuing on, it reads: "The Branch is owned 17:19

11 directly by CEIEC." 17:19

12 Do you see that? 17:19

13 A. I see it. 17:20

14 Q. Is this CEIEC the same CEIEC that we were 17:20

15 discussing earlier that is a state-owned company? 17:20

16 MR. RUSHING: Objection to form. Lacks 17:20

17 foundation. 17:20

18 THE WITNESS: Yes. 17:20

19 BY MR. CARTER: 17:20

20 Q. To the best of your knowledge, is it an 17:20

21 accurate statement that the branch was owned directly by 17:20

22 CEIEC between the entire period 1995 to 2004? 17:20

23 MR. RUSHING: Objection to form. Lacks 17:20

24 foundation. 17:20

25 MR. BIRKHAUSER: Objection. Leading. 17:20

1	THE WITNESS: Yes.	17:21
2	BY MR. CARTER:	17:21
3	Q. Next, I'd like to draw your attention to	17:21
4	Article 11, which is on the page ending in 3799. Let me	17:21
5	know when you're there.	17:21
6	A. I see it.	17:21
7	Q. Article 11 reads: "The business activities of	17:21
8	the Branch should be subject to the unified policies,	17:21
9	plans and administration of the Ministry of Foreign	17:21
10	Trade and Economic Cooperation of the People's Republic	17:21
11	of China, the economic and trade commission of the	17:21
12	province and CEIEC."	17:21
13	Do you see that?	17:21
14	A. I see it.	17:21
15	Q. To the best of your knowledge, was that an	17:22
16	accurate statement for the entire period 1995 to 2004?	17:22
17	MR. RUSHING: Objection to form. Lacks	17:22
18	foundation.	17:22
19	MR. BIRKHAUSER: Objection. Leading.	17:22
20	THE WITNESS: It was accurate.	17:22
21	BY MR. CARTER:	17:22
22	Q. Drawing your attention to Article 14 on that	17:22
23	same page, it reads: "The export sales prices of and	17:22
24	market arrangements for the exported products of the	17:22
25	Branch should be subject to the leadership of CEIEC and	17:22

Page 295

1	be uniformly coordinated by CEIEC."	17:22
2	Do you see that?	17:22
3	A. I see it.	17:22
4	Q. To the best of your knowledge, was that an	17:23
5	accurate statement for the entire period 1995 to 2004?	17:23
6	MR. RUSHING: Objection to form. Lacks	17:23
7	foundation.	17:23
8	THE WITNESS: It was accurate.	17:23
9	MR. BIRKHAEUSER: Objection. Leading.	17:23
10	BY MR. CARTER:	17:23
11	Q. In your time at Irico Group from 1991 to 2004,	17:23
12	are you aware of any instance in which someone at Irico	17:23
13	Group set the prices that Caihong Import-Export Company	17:24
14	charged for its exports?	17:24
15	MR. RUSHING: Objection to the form. Lacks	17:24
16	foundation.	17:24
17	THE WITNESS: I'm not aware of that, but I	17:24
18	think it was impossible for such an instance to have	17:24
19	taken place.	17:24
20	MR. RUSHING: Objection. Nonresponsive.	17:24
21	BY MR. CARTER:	17:24
22	Q. Mr. Yan, based on this document and your	17:25
23	experience as a Chinese lawyer, would it be lawful for	17:25
24	Irico Group to be setting prices charged by Caihong	17:25
25	Import-Export Company?	17:25

1 MR. RUSHING: Objection to the form. Lacks 17:25
2 foundation. 17:25
3 MR. BIRKHAUSER: Objection. Leading. 17:25
4 MR. RUSHING: Assumes facts. 17:25
5 THE WITNESS: Of course, it would not be 17:26
6 lawful because each one is its own independent legal 17:26
7 person, legal representative, and each one has its 17:26
8 respective decision-making system. It's impossible for 17:26
9 one entity to interfere with the operation and business 17:26
10 of another entity. 17:26
11 BY MR. CARTER: 17:26
12 Q. Okay, you can set that document aside. 17:26
13 MR. CARTER: Could I get the time on the 17:26
14 record from the videographer, please. 17:26
15 THE VIDEOGRAPHER: We are at six hours and 39 17:26
16 minutes. 17:27
17 MR. CARTER: Thank you. 17:27
18 Mr. Yan, I'm going to mark one additional 17:27
19 exhibit for you to look at, if you'll give me just a 17:27
20 moment. 17:27
21 THE WITNESS: Okay. 17:27
22 MR. CARTER: I'm introducing what has been 17:27
23 marked as Exhibit 8615. It bears the Bates stamp 17:27
24 IRC-CRT-00028800. 17:27
25 (Exhibit 8615 marked for identification.) 17:27

Page 297

1 BY MR. CARTER: 17:27

2 Q. Would you please refresh your page and let me 17:27

3 know when you see it. 17:27

4 MR. RUSHING: Is that 8615? 17:28

5 MR. CARTER: That's right. 17:28

6 THE WITNESS: I see it. 17:28

7 BY MR. CARTER: 17:28

8 Q. Mr. Yan, could you please review the page 17:28

9 ending in 800, and the first paragraph of the page 17:28

10 ending in page 801 and let me know when you're done. 17:28

11 A. Can you tell me again what paragraph you want 17:29

12 me to look at, what paragraphs? 17:29

13 Q. Sure. The first page ending in 800 and then 17:29

14 the first paragraph on the very next page ending in 801. 17:29

15 A. I finished reading it. 17:30

16 Q. Mr. Yan, what does this document appear to be? 17:30

17 MR. RUSHING: Objection to the form. Lacks 17:30

18 foundation. 17:30

19 THE WITNESS: This document looks like it's 17:30

20 containing some issues related to the project regarding 17:30

21 the supervision and monitoring of security matters under 17:30

22 the Chinese bureau or administration of securities 17:31

23 affairs and it's directed to the branch in Shaanxi, and 17:31

24 this looks like this is Caihong or Irigo's responses 17:31

25 after rectifications were made. 17:31

1	BY MR. CARTER:	17:31
2	Q. What is the date of the response from Irico?	17:31
3	I think you can find that on page 804.	17:31
4	A. Should be November 7th, 2005.	17:32
5	Q. Turning back to the first page of the	17:32
6	document, who is this -- strike that.	17:32
7	What is the title of the document appearing on	17:32
8	the first page?	17:32
9	A. "Report on the response to verify the relevant	17:32
10	issues."	17:32
11	Q. And who is this report addressed to?	17:32
12	A. This report was addressed or submitted to the	17:33
13	state information committee or bureau under the state	17:33
14	council, which was the direct surprising agency above	17:33
15	us.	17:33
16	MR. RUSHING: Objection. Lacks foundation.	17:33
17	BY MR. CARTER:	17:33
18	Q. Is that the state-owned Assets Supervision and	17:33
19	Administration Commission of the State Council that	17:33
20	appears on the first line of the report.	17:33
21	MR. RUSHING: Objection. Lacks foundation.	17:33
22	THE WITNESS: Yes.	17:33
23	BY MR. CARTER:	17:33
24	Q. Is that commission sometimes referred to as	17:34
25	SASAC?	17:34

1 A. Yes. 17:34

2 Q. Are you familiar with the role that SASAC 17:34

3 plays in supervising state-owned enterprises? 17:34

4 MR. RUSHING: Objection to form. Lacks 17:34

5 foundation. 17:34

6 THE WITNESS: It's an agency that acts on 17:34

7 behalf of the country to fulfill the duties and 17:35

8 obligations of the people who pay for the asset and 17:35

9 funding. 17:35

10 BY MR. CARTER: 17:35

11 Q. How do you know that? 17:35

12 A. That was a very clear position or job 17:35

13 description given to SASAC at the time of its formation 17:35

14 by the state council. 17:35

15 Q. And do you know when it was that SASAC was 17:35

16 formed by the state council? 17:35

17 A. I do not remember the exact time. 17:35

18 Q. The paragraph at the bottom of page 800 reads: 17:36

19 "In accordance with the requirements of the 'Letter on

20 Verification of Relevant Issues' (Reform Letter (2005)

21 No. 168), we hereby submit to you the application

22 documents in conjunction with the application of the

23 China Securities Regulatory Commission Shaanxi

24 Supervision Bureau for the listing of Caihong Display

25 Device Co., Ltd., which is a listed company of our Group

1 hereinafter referred to as 'Caihong Limited'). The
2 details of the special verification are reported as
3 follows." 17:36

4 Do you see that? 17:36

5 A. I see it. 17:36

6 Q. Is the entity referred to as Caihong Limited 17:37
7 in this report the same entity that we have been calling 17:37
8 Irico Display in this deposition? 17:37

9 MR. RUSHING: Objection to form. Lacks 17:37
10 foundation. 17:37

11 MR. BIRKHAUSER: Objection. Leading. 17:37

12 THE WITNESS: Yes. 17:38

13 And also, the full name of that entity is 17:38
14 listed in this paragraph before that abbreviated name. 17:38
15 It says "Irico Display Devices Co., Ltd." 17:38

16 BY MR. CARTER: 17:38

17 Q. Turning to the top of the next page ending in 17:38
18 page 801. 17:38

19 A. Okay. 17:38

20 Q. It reads: "Shaanxi Supervision Bureau of 17:38
21 China Securities Regulatory Commission conducted a 17:38
22 special verification of Caihong Limited from August 24 17:38
23 to September 25, 2005, and issued a Notice of 17:38
24 Rectification." 17:39

25 Do you see that? 17:39

Page 301

1	A. I see it.	17:39
2	Q. Can you describe what the special verification	17:39
3	conducted by the China Securities Regulatory Commission	17:39
4	was?	17:39
5	MR. RUSHING: Objection to form. Leading.	17:39
6	THE WITNESS: It was a verification performed	17:39
7	by the China Securities Regulatory Commission, according	17:39
8	to the requirements on publicly traded companies.	17:40
9	MR. BIRKHAUSER: Objection. Foundation.	17:40
10	BY MR. CARTER:	17:40
11	Q. After receiving -- strike that.	17:40
12	So the special verification, according to this	17:40
13	document, was of Irico Display, correct?	17:40
14	A. Yes.	17:40
15	MR. RUSHING: Objection. Leading. Lacks	17:40
16	foundation.	17:40
17	BY MR. CARTER:	17:40
18	Q. On the previous page in red letters, do you	17:40
19	see where it says "Caihong Group Document"?	17:40
20	A. I see it.	17:40
21	Q. And then below that it says "Caihong Group	17:41
22	Office (2005) No. 190"?	17:41
23	Do you see that?	17:41
24	A. Yes, I see it.	17:41
25	Q. Is the Caihong Group office the same office	17:41

Page 302

1	that you worked in for a period of time?	17:41
2	A. Yes.	17:41
3	Q. Were you working there in 2005?	17:41
4	MR. RUSHING: Objection to the form.	17:41
5	THE WITNESS: I was not.	17:41
6	BY MR. CARTER:	17:41
7	Q. To the best of your knowledge, why would Irico	17:42
8	Group be issuing a report regarding a special	17:42
9	verification of Irico Display?	17:42
10	MR. RUSHING: Objection to form. Lacks	17:42
11	foundation.	17:42
12	THE WITNESS: If the securities council and	17:42
13	commission performed a special verification on Irico	17:43
14	Display and issues were found from the special	17:43
15	verification, Irico Group would deem it as a significant	17:43
16	event that needs to be reported to SASAC, according to	17:43
17	the requirements on Chinese enterprise -- state-owned	17:43
18	enterprises. So in that event, it would report such a	17:43
19	significant event to SASAC in order to satisfy that	17:43
20	requirement.	17:43
21	BY MR. CARTER:	17:43
22	Q. Mr. Yan, looking back at the top paragraph of	17:43
23	page 801 --	17:44
24	A. Okay.	17:44
25	Q. -- looking at the second sentence in that	17:44

Page 303

1 paragraph, reading "Immediately after the meeting, 17:44
2 Caihong Limited organized the directors, supervisors and 17:44
3 senior management of the company to conduct serious 17:44
4 research and discussion against the provisions and 17:44
5 requirements of," and then it lists several Chinese 17:44
6 laws. 17:44

7 Do you see that? 17:44

8 A. I see it. 17:44

9 Q. Would you expect this report to reflect the 17:44
10 conclusions of the directors, supervisors and senior 17:45
11 management of Irigo Display who were described in that 17:45
12 sentence? 17:45

13 MR. RUSHING: Objection to the form. Lacks 17:45
14 foundation. 17:45

15 THE WITNESS: I do not understand what this 17:45
16 question is asking. 17:45

17 BY MR. CARTER: 17:45

18 Q. Is this report reporting on analysis done by 17:46
19 Irigo regarding the issues raised in the special 17:46
20 verification? 17:46

21 MR. RUSHING: Objection to form. Lacks 17:46
22 foundation. 17:46

23 THE WITNESS: Yes. Also, it fully 17:46
24 demonstrated the issues that were researched upon and 17:46
25 discussed at that time. 17:46

1 BY MR. CARTER: 17:46

2 Q. Would you turn to page ending in 803 and let 17:46

3 me know when you're there. 17:47

4 A. I see it. 17:47

5 Q. Do you see the header IV, "Issues of 17:47

6 inaccurate disclosure of connected transactions and 17:47

7 investment of allotment funds"? 17:47

8 A. Yes. 17:47

9 MR. RUSHING: What page is that on, please? 17:47

10 MR. CARTER: 803. 17:47

11 MR. RUSHING: Okay, I see it. 17:47

12 MR. CARTER: Okay. 17:47

13 BY MR. CARTER: 17:47

14 Q. Right after that header, the report states: 17:47

15 "China Electronics Import & Export Caihong Company ('CEC 17:47

16 Caihong') is a subsidiary of China Electronics Import & 17:48

17 Export Corporation." 17:48

18 Do you see that? 17:48

19 A. Yes. 17:48

20 Q. To the best of your knowledge, was that an 17:48

21 accurate statement at the time this report was written 17:48

22 in 2005? 17:48

23 MR. RUSHING: Objection to the form. Lacks 17:48

24 foundation. 17:48

25 MR. BIRKHAUSER: Leading. 17:48

Page 305

1 THE WITNESS: Yes, it was accurate. 17:48

2 BY MR. CARTER: 17:48

3 Q. The report continues: "The company's 17:48

4 financial statements are included in the scope of 17:48

5 consolidation by China National Electronics Import & 17:48

6 Export Corporation, and the annual operating plan of 17:48

7 financial accounts are arranged by China National 17:48

8 Electronics Import & Export Corporation." 17:48

9 Do you see that? 17:49

10 A. I see it. 17:49

11 Q. To your knowledge, was that an accurate 17:49

12 statement at the time this report was written in 2005? 17:49

13 MR. RUSHING: Objection to form. Lacks 17:49

14 foundation. 17:49

15 MR. BIRKHAUSER: Objection. Leading. 17:49

16 THE WITNESS: It was accurate. 17:49

17 BY MR. CARTER: 17:49

18 Q. Then the report continues: "The principal 17:49

19 officers of the company are recommended by Caihong and 17:49

20 appointed and removed by China National Electronics 17:49

21 Import & Export Corporation so they are not considered 17:49

22 as related parties." 17:49

23 Do you see that? 17:49

24 A. I see it. 17:50

25 Q. And was that an accurate statement at the time 17:50

1 this report was written, to the best of your knowledge, 17:50
2 in 2005? 17:50
3 MR. RUSHING: Objection to form. Lacks 17:50
4 foundation. 17:50
5 MR. BIRKHAUSER: Objection. Leading. 17:50
6 THE WITNESS: It was accurate. 17:50
7 BY MR. CARTER: 17:50
8 Q. That paragraph concludes with: "At present, 17:50
9 Caihong Limited has formally handled the procedures 17:50
10 related to import and export business in the first half 17:50
11 of 2005, from then on Caihong Limited's import and 17:50
12 export business is completed independently by itself." 17:50
13 Do you see that? 17:50
14 A. I see it. 17:50
15 Q. Is this related to the restructuring of 17:51
16 Irico's import and export business that happened that 17:51
17 you discussed regarding the IPO of Irico Electronics? 17:51
18 MR. RUSHING: Objection to the form. Lacks 17:51
19 foundation. 17:51
20 MR. BIRKHAUSER: Objection. Leading. 17:51
21 THE WITNESS: Yes. Yes. 17:51
22 MR. CARTER: Could we get the time on the 17:51
23 record, please. 17:52
24 THE VIDEOGRAPHER: We are at seven hours and 17:52
25 seven minutes. 17:52

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

IN RE: CATHODE RAY TUBE (CRT)) MASTER FILE NO.
ANTITRUST LITIGATION) CV-07-5944 JST

_____)

THIS DOCUMENT RELATES TO:)

ALL INDIRECT PURCHASER ACTIONS)

ALL DIRECT PURCHASER ACTIONS)

DEFENDANTS.)

_____)

VIDEOTAPED DEPOSITION OF YAN YUNLONG
VOLUME III
THURSDAY, SEPTEMBER 29, 2022
MACAU S.A.R., CHINA

FILE NO. SF 5436477

REPORTED BY MARK McCLURE, CRR
CAL CSR 12203

1 VIDEOTAPED DEPOSITION OF YAN YUNLONG, VOLUME III, TAKEN
2 AT 8:04 A.M., CHINA STANDARD TIME, THURSDAY, SEPTEMBER
3 29, 2022, MACAU S.A.R, CHINA, VIA VERITEXT REMOTE
4 TECHNOLOGY, BEFORE MARK McCLURE, C.S.R. #12203,
5 CERTIFIED SHORTHAND REPORTER IN AND FOR THE STATE OF
6 CALIFORNIA.

7
8 APPEARANCES OF COUNSEL:

9 FOR THE PLAINTIFFS, ALL INDIRECT PURCHASERS:

10 (APPEARING BY VIDEOCONFERENCE)

TRUMP, ALIOTO, TRUMP & PRESCOTT

11 BY: LAUREN CAPURRO, ESQ.

120 HOLSTROM CIRCLE

12 NOVATO, CALIFORNIA 94947-2072

415.860.5051

13 LAURENRUSSELL@TATP.COM

14 (APPEARING BY VIDEOCONFERENCE)

BRAMSON, PLUTZIK, MAHLER & BIRKHAUSER

15 BY: DANIEL BIRKHAUSER, ESQ.

2125 OAK GROVE ROAD, SUITE 125

16 WALNUT CREEK, CALIFORNIA 94598-2534

925.945.0200

17 DBIRKHAUSER@BRAMSONPLUTZIK.COM

18
19 FOR THE PLAINTIFFS, ALL DIRECT PURCHASERS:

(APPEARING BY VIDEOCONFERENCE)

20 SAVERI & SAVERI

21 BY: RICK SAVERI, ESQ.

706 SANSOME STREET

22 SAN FRANCISCO, CALIFORNIA 94111

415.217.6810

23 RICK@SAVERI.COM
24
25

1 APPEARANCES OF COUNSEL: CONTINUING
2 (APPEARING BY VIDEOCONFERENCE)
SAVERI & SAVERI
3 BY: DAVID HWU, ESQ.
706 SANSOME STREET
4 SAN FRANCISCO, CALIFORNIA 94111
415.217.6810
5 DHWU@SAVERI.COM
6

FOR THE PLAINTIFFS, ALL DIRECT PURCHASERS:

7 (APPEARING BY VIDEOCONFERENCE)
8 SAVERI & SAVERI
BY: MATTHEW HEAPHY, ESQ.
9 706 SANSOME STREET
SAN FRANCISCO, CALIFORNIA 94111
10 415.217.6810
MHEAPHY@SAVERI.COM

11 (APPEARING BY VIDEOCONFERENCE)
12 SAVERI & SAVERI
BY: GEOFFREY C. RUSHING, ESQ.
13 706 SANSOME STREET
SAN FRANCISCO, CALIFORNIA 94111
14 415.217.6810
GRUSHING@SAVERI.COM

15 FOR THE DEFENDANTS, IRICO, AND THE WITNESS, YAN YUNLONG:

16 (APPEARING BY VIDEOCONFERENCE)
17 BAKER BOTTS, LLP
18 BY: THOMAS E. CARTER, ESQ.
700 K STREET NW
19 WASHINGTON, DC 20001
202.639.7909
TOM.CARTER@BAKERBOTTS.COM
21 (APPEARING BY VIDEOCONFERENCE)
BAKER BOTTS, LLP
22 BY: EVAN WERBEL, ESQ.
700 K STREET NW
23 WASHINGTON, DC 20001
202.639.1323
24 EVAN.WERBEL@BAKERBOTTS.COM
25

1 APPEARANCES OF COUNSEL: CONTINUING
2 FOR THE DEFENDANTS, IRICO, AND THE WITNESS, YAN YUNLONG:
3 (APPEARING BY VIDEOCONFERENCE)
NORTON ROSE FULBRIGHT U.S., LLP
4 BY: KAYLEE YANG, ESQ.
555 CALIFORNIA STREET, SUITE 3300
5 SAN FRANCISCO, CALIFORNIA 94104
628.231.6827
6 KAYLEE.YANG@NORTONROSEFULBRIGHT.COM
7
8

ALSO PRESENT:

9
10 AMANDA LIN, MAIN INTERPRETER

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
TERRY WEISS, VIDEOGRAPHER

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I N D E X

WITNESS	EXAMINATION	PAGE
YAN YUNLONG		
	BY MR. CARTER	315
	BY MR. RUSHING	362

E X H I B I T S

NUMBER	DESCRIPTION	PAGE
EXHIBIT 8616	NOTICE OF WITHDRAWAL AND SUBSTITUTION OF COUNSEL; [PROPOSED] ORDER - 4 PAGES	319
EXHIBIT 8617	MINISTRY OF COMMERCE PEOPLE'S REPUBLIC OF CHINA - ANTI-MONOPOLY LAW OF THE PEOPLE'S REPUBLIC OF CHINA - 17 PAGES	359
EXHIBIT 8618	REQUEST FOR INSTRUCTIONS ON ADJUSTING THE ASSESSMENT OBJECTIVES FOR THE PERSON IN CHARGE OF IRICO GROUP CORPORATION - IRI-CRT-00030226 - IRI-CRT-00030232 - 15 PAGES	386

PREVIOUSLY MARKED EXHIBITS

NUMBER	PAGE
8550	338
8551	351

1 THE WITNESS: Yes. 08:25:41

2 BY MR. CARTER: 08:25:41

3 Q. To your knowledge, was Mr. Su also concerned 08:25:44

4 about the COVID-19 pandemic and required COVID-19 08:25:47

5 quarantines for travel outside Mainland China? 08:25:51

6 MR. RUSHING: Objection to form. Lacks 08:25:54

7 foundation. 08:25:56

8 MR. BIRKHAUSER: Objection. Very, very 08:25:56

9 leading. 08:25:57

10 THE WITNESS: Yes, like me, I'm also very 08:26:24

11 concerned. 08:26:27

12 BY MR. CARTER: 08:26:27

13 Q. Mr. Yan, going back to your work history, when 08:26:30

14 you were working in the Irico Group Enterprise 08:26:35

15 Management Department, did you have an understanding of 08:26:40

16 the corporate structure of Irico Group? 08:26:42

17 And by that, I mean the subsidiary and 08:26:45

18 affiliate companies that reported up to Irico Group. 08:26:48

19 MR. RUSHING: Object to form. 08:26:51

20 THE WITNESS: Yes. 08:27:13

21 BY MR. CARTER: 08:27:13

22 Q. Was it important for your job in the Irico 08:27:15

23 Group Enterprise Management Department to have a good 08:27:21

24 understanding of Irico Group's corporate structure? 08:27:22

25 MR. RUSHING: Object to form. Lacks 08:27:27

Page 324

1 foundation. 08:27:30

2 THE WITNESS: Yes. 08:27:46

3 BY MR. CARTER: 08:27:46

4 Q. Hypothetically, if Caihong Import-Export 08:27:51

5 Company was a wholly owned subsidiary of Irico Group 08:27:55

6 during your time at the Enterprise Management 08:27:57

7 Department, do you think you would have been aware of 08:27:59

8 that? 08:28:01

9 MR. RUSHING: Object to form. Lacks 08:28:05

10 foundation. 08:28:09

11 MR. BIRKHAEUSER: Objection. Incomplete 08:28:11

12 hypothetical. Devoid of facts. 08:28:14

13 THE WITNESS: Of course, I would have known. 08:28:37

14 BY MR. CARTER: 08:28:49

15 Q. Mr. Yan, do you recall testifying yesterday 08:28:49

16 that you were not aware of any ownership relationship 08:28:52

17 between Irico Group and Caihong Import-Export Company 08:28:56

18 during 1995 to 2007? 08:29:00

19 A. Yes. 08:29:03

20 MR. RUSHING: Object to form. 08:29:21

21 BY MR. CARTER: 08:29:21

22 Q. And do you recall testifying that CEIEC was 08:29:25

23 the 100 percent owner of Caihong Import-Export Company 08:29:34

24 during that same time period? 08:29:39

25 MR. RUSHING: Objection to form. 08:29:41

Page 325

1 MR. BIRKHAUSER: Objection. Leading. 08:29:42

2 THE WITNESS: Yes. 08:29:54

3 BY MR. CARTER: 08:29:54

4 Q. Did Irico Group take over ownership of Caihong 08:29:55

5 Import-Export Company from CEIEC at some point in the 08:30:01

6 future after 2007? 08:30:04

7 MR. RUSHING: Objection to form. Lacks 08:30:07

8 foundation. 08:30:09

9 BY MR. CARTER: 08:30:09

10 Q. I'm sorry, it should be been after 2007. I 08:30:19

11 may have gotten cut off. 08:30:23

12 MAIN INTERPRETER: Counsel, would you like to 08:30:25

13 repeat the question? 08:30:26

14 MR. CARTER: Sure, let me do that. 08:30:29

15 MAIN INTERPRETER: Thank you. 08:30:31

16 BY MR. CARTER: 08:30:31

17 Q. Did Irico Group take over ownership of Caihong 08:29:55

18 Import-Export Company at some point after 2007? 08:30:36

19 MR. RUSHING: Object to form. Lacks 08:30:59

20 foundation. 08:31:02

21 THE WITNESS: I do not recall the time frame 08:31:18

22 clearly. 08:31:21

23 BY MR. CARTER: 08:31:21

24 Q. Do you recall whether or not Irico Group did 08:31:23

25 take over ownership of Caihong Import-Export Company 08:31:25

Page 326

1 from CEIEC? 08:31:28

2 MR. RUSHING: Object to form. Lacks 08:31:31

3 foundation. 08:31:35

4 THE WITNESS: I remember it was taken over, 08:32:10

5 but I do not recall clearly or exactly when that 08:32:13

6 happened, but I do remember it was at least after the 08:32:18

7 color picture tube business withdrew entirely from the 08:32:23

8 market. 08:32:27

9 BY MR. CARTER: 08:32:27

10 Q. Do you have an understanding of why that 08:32:32

11 transfer from CEIEC to Irico Group took place? 08:32:35

12 MR. RUSHING: Object to form. Lacks 08:32:51

13 foundation. 08:32:53

14 THE WITNESS: We stopped our business dealings 08:33:51

15 and transactions with Caihong Import-Export Company 08:33:53

16 after 2004, and since then its business in various 08:33:58

17 aspects has shrunk and it finally came to an end, and it 08:34:04

18 only had its assets remaining. And its original 08:34:10

19 employees were very few, so they were hired by Irico 08:34:15

20 Group. 08:34:23

21 In that scenario, there was no need for the 08:34:23

22 company to continue to exist, and according to the 08:34:26

23 requirements of the country, Irico Group then took over 08:34:32

24 that company. 08:34:35

25 08:34:35

1 BY MR. CARTER: 08:34:35

2 Q. When you say "according to the requirements of 08:34:42

3 the country," what do you mean by that? 08:34:45

4 MR. RUSHING: Object to form. Lacks 08:34:53

5 foundation. 08:34:56

6 THE WITNESS: At that time, that would be a 08:35:07

7 transformation process for the state owned assets, so 08:35:08

8 the transformation and the transfer took place according 08:35:13

9 to the regulation related to the state owned assets and 08:35:17

10 that was the requirement by SASAC. 08:35:28

11 BY MR. CARTER: 08:35:32

12 Q. Mr. Yan, changing gears here a little bit. 08:35:49

13 To your knowledge, what role, if any, did the 08:35:51

14 Chinese government have in influencing CRT prices during 08:35:57

15 the period 1995 to 2007? 08:36:01

16 MR. RUSHING: Object to the form. Lacks 08:36:05

17 foundation. Vague as to time, in particular. 08:36:07

18 THE WITNESS: Between the years of 1995 and 08:37:38

19 2007, China was in the process of transforming from 08:37:42

20 planned economy to market economy, and the 08:37:47

21 transformation was not yet fully completed, and China 08:37:50

22 was not able to entirely form the market economy and the 08:37:56

23 market economy environment, and there was not much 08:38:02

24 market competition at that time. 08:38:05

25 In that scenario, it was unavoidable that the 08:38:07

Page 328